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UNCLAS SECTION 01 OF 03 CASABLANCA 000188  
(C O R R E C T E D C O P Y - ADDED CAPTION)

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SUBJECT: SEPTEMBER 2009 FRAUD SUMMARY - CASABLANCA

Ref A: Casablanca 46, Ref B: Casablanca 176,  
Ref C: Doherty-Sexton e-mail April 6, 2009

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1A. COUNTRY CONDITIONS: Morocco suffers from a high illiteracy rate, chronic unemployment and corruption. The latest statistics we have dated 2006 indicate 24 percent of all college undergraduates are unemployed or underemployed. In addition, Morocco's geographic proximity to Western Europe has historically made it a convenient embarkation point for smugglers, narcotics traffickers, and those wishing to get to Europe or the Western Hemisphere to find work. Although post sees some NIV applicants trying to obtain F-1 and B-1/B-2 visas as a means of getting to the United States, a growing concern is the rate of Q-1 overstays of cultural representatives to the Moroccan Pavilion at Disney's Epcot Center in Orlando, Florida. In addition, marriage for immigration remains an ongoing concern for both the consular section and post's DHS attache. Post sees many Internet-based romances that turn into IV petitions.

1B. NIV FRAUD: During this reporting period (March 1, 2009-August 31, 2009), post adjudicated 11,734 NIVs. Although the U.S. dollar remains relatively strong against the Moroccan dirham since the last reporting period, there still is interest in traveling to the United States for business, pleasure, or to study.

NIV fraud consists of poor attempts at demonstrating ties such as recent bank deposits, work certificates showing inflated salaries, marginally qualified principal applicants with dependent children, or those claiming they must travel with a sick relative who cannot travel alone. Interviewing officers can resolve these cases through in-depth interviews with the applicant. The FPU will, upon request, conduct Internet research and telephone pretext calls to verify bonafides of employment or business registrations. Almost all of such applicants are refused under INA Section 214(b).

During this period, three NIV cases were referred to the FPU for review or a suspicious documents case. A handful of applicants submitted letters purportedly from American banks with greetings such as "Dear Immigration Officer" or "Dear Consular Officer" or with subject headings of "re: intent to obtain a visa." The letters claim to verify that a U.S.-based relative or friend of the visa applicant has sufficient funds to support the applicant's travel. All cases in which such letters were submitted were refused 214b. The one B-1/B-2 case with confirmed fraud involved an altered Moroccan bank statement in which a call to the bank in question confirmed the bank statement was not genuine. The applicant was refused 214b.

As reported in Ref B, post conducted a validation study of B-1, B-1/B-2 and B-2 visas issued between January and March 2008. Of the 321 applications reviewed, 230 traveled and returned to Morocco, 51

stated they had not used their visas yet and another 40 could not be reached. The age groups of concern for possible overstay are both men and women born before 1980. The overstay rate was about 9 per cent of the sample. Post has not seen clearly from this study any one group which stands out as overstaying or otherwise misusing their visas, and will conduct additional studies to try and obtain more insights into overstay. Working with FPP and DHS, post has the preliminary results of a second validation study for B-1/B-2s issued between May and July 2008. Analysis of that data is in progress.

Using the SEVIS function in CCD, the FPM reviewed the status of students issued F-1s between October 1, 2007-August 15, 2008, and October 1, 2008-January 15, 2009, to attend Everest University in Orlando, Florida. The student applicants were frequently refused 214(b) for not being able to show intent to return to Morocco or having insufficient funds to pay for schooling. Of the 26 issuances for October 1, 2007-August 15, 2008, none of the students were actively studying at Everest University. One student apparently never traveled to the United States per ADIS. The other 25 have all transferred to other institutions. Fifteen (15) of these transfers were to one institution, UCEDA, an ESL institute with campuses in Florida, New Jersey and New York. Ten other students transferred to other institutions around the United States. Twenty-three (23) are active students at their second or sometimes third institution. One already completed her study, but ADIS had no record of her departing the United States. A second student appeared to have returned home for good.

Of the nine student issuances for October 1, 2008-January 2009, two were actively studying at Everest University. At the time of the SEVIS study in April 2009, seven had transferred to another institution (three of those to Everest's sister campus in Tampa upon arrival without attending class at the Orlando campus), and three had transferred to UCEDA, also upon arrival. These six were active in their new institutions. Post reported its concerns about Everest University to FPP via e-mail (Ref C). Interestingly, for the recently concluded summer student season 2009, post only had one F-1

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applicant for Everest University, a student who had already been studying English at a another institution in Texas and was now transferring to do her MBA studies. In fact, post had a significantly lower rate of questionable student applicants during the summer student visa season.

1C. IV FRAUD: During this period, FPU reviewed nine IV cases for fraud. Suspect relationships are post's biggest concern as relationship fraud is difficult to prove. Typical fraud indicators are internet relationships between an American citizen petitioner and Moroccan national beneficiary with minimal in-person contact, inability of the beneficiary to describe the petitioner or provide details of his/her life, large age differences between petitioner and beneficiary, and marriage between relatives.

Multiple marriages and re-marriages between spouses (with the petitioner often marrying an American citizen in-between to gain legal permanent residency and U.S. citizenship) are also indicator. Post has seen a decrease in this type of relationship fraud this reporting period. Children born during the time their parents were divorced are often indicators the male petitioner either divorced his Moroccan wife and then married an American citizen for immigration purposes, or falsified his second marriage to his Moroccan wife by falsifying a divorce decree to marry an American citizen while still legally married in Morocco.

Post is fortunate to have a strong working relationship with the DHS Attach. Post's DHS office is concerned about the number of IV petitions involving questionable marital relationships. The FPU meets regularly with DHS to discuss marriage for immigration trends, often reporting suspected past fraud by a petitioner.

1D. DV FRAUD: Eleven DV cases have been referred to FPU this reporting period. Post confirmed fraud in four DV cases during this reporting period. All involved fraudulent high school degrees or baccalaureates. The applicants were refused 5(A) because they all

made timely retractions when confronted with the truth. Three cases were cleared of high school degree fraud, and a third was cleared of marriage fraud concerns; all three have been issued. One DV-1 applicant was refused 5(A) because someone's photo was submitted instead of his own; in addition, the DV-1's family was not included at the time of the e-DV entry. Of the remaining pending cases, both involve suspect marriages.

A growing concern is the attempt to obtain fraudulent baccalaureates. In all of FY 2008, post had only one fake baccalaureate confirmed, whereas there were four confirmed this reporting period. Marriage fraud continues to be a concern and pop-up marriages are interviewed more closely. However, in many cases, the applicants can explain in detail how they were in a relationship or courtship prior to the DV-1's application for the lottery. Being selected for an interview legitimately sped up the date of the marriage.

The other area of concern is an applicant trying to qualify for the DV through job experience. A multi-pronged media campaign to educate Moroccans on the minimum requirements for the DV has reduced the number of applicants who could be found 5(A). However, some still try their luck and apply for the DV. To date, only two DV applicants for the FY 2009 program have qualified for the DV as a result of job experience.

1E. ACS AND U.S. PASSPORT FRAUD: ACS uncovered misrepresentation after a passport to a minor child was issued. Initially, the American citizen mother presented evidence that she had sole custody of her child and thus was able to obtain a passport with only her signature. A few weeks later, the Moroccan citizen father appeared in the ACS Unit seeking assistance in locating his daughter. During his conversation with ACS, he said that on the day of the passport application, he was actually outside the consulate waiting for his family. The mother of his child had insisted he wait outside. The mother was arrested upon her return to the United States for a different child custody matter, and DS opened an investigation against her for passport fraud. She is currently free on bond, but may face criminal charges for her actions.

Subsequent to this case, ACS had a similar incident in which an LPR mother tried to obtain a passport for her American citizen child. She told the ACS Chief that she had lost her green card and her son's passport. She also said that she lost contact with her husband and had no way of reaching him upon their return to Morocco.

Wary of the woman's story, ACS requested a field investigation to verify the husband's whereabouts. The FPU's fraud investigator easily located the man and encouraged him to contact his wife. As ACS suspected, the husband and wife had an argument, and the husband had retained both his wife's green card and his son's passport. After some prodding with RSO and DHS' support, the father eventually agreed to give back his son's original passport, thus negating the

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need to apply for a new one.

In a third case, a father tried to renew the passport of his minor son. He claimed that he did not even remember the name of the boy's mother and had no way of contacting her. ACS contacted OCS, who was able to locate the mother in the United States. The mother was overjoyed to learn about her son, whom she had not seen for the past five years. ACS helped the father and mother talk on the phone, and they are still trying to decide their plan for going forward.

1F. ADOPTION FRAUD: Moroccan law does not allow for full adoptions of Moroccan children. Post adjudicated 14 IR-4 cases during this reporting period. The IV Unit continues to receive inquiries from prospective adoptive parents requesting information on how to process their cases. The majority of adoptive parents are Moroccan American dual nationals.

1G. USE OF DNA TESTING: No DNA testing was conducted during this reporting period.

1H. ASYLUM AND OTHER DHS BENEFIT FRAUD: None this reporting period.

I. ALIEN SMUGGLING, TRAFFICKING, ORGANIZED CRIME, TERRORIST TRAVEL: None this reporting period.

J. DS CRIMINAL FRAUD INVESTIGATION: None this reporting period.

K. HOST COUNTRY PASSPORT, IDENTITY DOCUMENTS, AND CIVIL REGISTRY: The Ministry of Interior started issuing the new Moroccan ID Card on January 1, 2008. Currently, first-time applicants, applicants with expired ID cards or those with changes of address can apply for the new card. The Ministry of Interior expects to issue every Moroccan the new card within the next four years. A new biometric passport is also expected but start date to begin issuing these passports has not been announced at this time. (Note-Ref A mistakenly reported a start date had been announced.)

L. COOPERATION WITH HOST GOVERNMENT AUTHORITIES: Casablanca is a transit point between Europe, the Western Hemisphere and sub-Saharan Africa. The FPU works closely with Royal Air Maroc, other airlines, and the Ministry of Justice and Ministry of Interior when the authenticity of a U.S. travel document is in question. Royal Air Maroc officials and immigration officials at Casablanca's Mohammed V airport have been particularly vigilant and effective in detecting visa fraud and contacting post.

M. AREAS OF PARTICULAR CONCERN: Marriage for immigration is an ongoing concern for post. K-1, K-3, CR-1 and IR-1 cases often require two or three interviews and reviews of correspondence to confirm the bona fides of marital relationships. In cases where the petitioner is remarrying a former spouse, field investigations are frequently conducted. By working with post's DHS attache, the FPU hopes to disseminate information about Moroccan marriage fraud patterns to USCIS adjudicators in the hopes the fraud will be caught at an earlier stage.

Another area of concern is Q-1 for cultural representatives for the Moroccan Pavilion at the EPCOT Center in Florida. Post has long suspected some Q-1s of figuring out ways to remain in the United States. We regularly see NIV applications from friends or family of former Q-1 applicants who remained in the United States. Post's IV LE supervisor, a Q-1 alumnus himself, noted that of his Q-1 class, only three (he and his two best friends) returned to Morocco. The National Benefits Center for DHS recently contacted post about its concerns of the high number of I-485s (Request to Establish Permanent Residence or Adjust Status) it receives for Moroccan Q-1 recipients. Post shared its observations about what visa officers see in their interviews. As a result of the e-mail from the National Benefits Center, post also contacted Disney's international recruitment and visa compliance officers about how they recruit Q-1s in Morocco. Disney welcomed the contact, inviting post representatives to observe its recruitment sessions to be held in Rabat this coming November. Post heartily accepted the offer. The information exchange with DHS and Disney will help post redesign its visa interview questions. FPM has started work on a validation study of Q-1s issued in the last few years who should have returned to Morocco by now.

N. STAFFING AND TRAINING: The Fraud Prevention Unit consists of the Deputy Consular Chief/Fraud Prevention Manager and LE Fraud Investigator (FI), who was hired in April 2009, after the previous investigator was hired by post's DHS Office. Post has nominated the new investigator to PC-542 training at FSI in November 2009.

ORDONEZ